

CITY OF WAVELAND
PLANNING & ZONING COMMISSION
MINUTES FEBRUARY 22ND, 2021 – 6:00 PM
VIA CONFERENCE CALL ONLY

1. Call to Order / Roll Call.
Chairman Meggett called the meeting to order at 6:08 PM. Commissioner's Adams, Harris, Frater and Watson were present. Chairman Meggett declared that a quorum was present. Also present was David Draz, Zoning Official.
2. Approval of the Minutes for the January 11th, 2021 regular monthly meeting. Commissioner Watson made a motion, Seconded by Commissioner Frater, to approve the minutes of the January 1th, 2021 regular monthly meeting. Commissioners Adams, Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.
3. Jeff & Michelle Anthony, owners of the property commonly known as 120 Market Street, Legal Description; Lot 93B, 3rd Ward, Waveland, MS., has made application requesting to following variances:

A) A variance from the Rear Yard Setback as required in Section 701.5 of the current Zoning Ordinance requiring a twenty-five (25) foot Rear Yard Setback. The applicant is requesting a ten (10) foot variance from the Rear Yard Setback, resulting in a Rear Yard Setback of fifteen (15) feet.

B) A variance from the Front Yard Setback as required in Section 701.3 of the current Zoning Ordinance requiring a twenty-five (25) foot Front Yard Setback. The applicant is requesting a seven (7) foot variance from the Front Yard Setback, resulting in a Front Yard Setback of Eighteen (18) feet.

The applicant made a presentation. The Commissioners asked questions of the applicant and discussed the exhibit, and the details. The Commissioner's asked the applicant if they would consider reducing the rear back and setting the house so the front yard setback would not be required. After significant discussion, the applicant requested the Commission consider the yard variances as presented.

Commissioner Frater made a motion, seconded by Commissioner Harris, to recommend denial of the requested variances. Commissioners, Adams, Harris, Frater, and Watson voted in favor of the motion. The Chairman stated the motion for denial of the variances as presented passed.

4. William Roe, owner of the property commonly known as 409 St. Joseph Street, Legal Description; Lots 28, 31, 36, 38, 39 & N.W. 26' of Lot 43B, Lots 44, 45, 52, and 53, 3rd, Tannerette Subdivision, Waveland, MS., has made application requesting to following:

A) A Conditional Use for an Accessory Structure of 500 square feet per Section 906.3 of the current Zoning Ordinance. The request is for an Accessory Structure of nine-hundred eighty-four (984) square feet

B) A variance from the Left Yard Setback (as viewed from St. Joseph Street) as required in Section 701.3 of the current Zoning Ordinance requiring a fifteen foot Side Yard Setback. The applicant is requesting a ten (10) foot variance from the Side Yard Setback, resulting in a Side Yard Setback of Five (5) feet.

After discussion about the request and clarifications on the property the Chairman called for a motion.

Commissioner Watson made a motion, seconded by Commissioner Frater, to recommend approval the Conditional Use for an Accessory Building of nine-hundred and eighty-four (984) square feet and that the criteria for a Conditional Use as stated in Section 906.3 of the Current Zoning Ordinance of the current Zoning have been met. Commissioner's Adams, Harris, Frater and Watson voted in favor of the motion. The Chairman declared the motion passed.

Commissioner Watson made a motion, seconded by Harris, to recommend approval of the side-yard setback variance of ten (10) feet and the criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioner's Adams, Harris, Frater and Watson voted in favor of the motion. The Chairman declared the motion passed.

5. Doug Adams, owner of the property commonly known as 407 Wainwright. Legal description; Part N ½ Lot 8 SEC 34-8-14 is requesting a Conditional Use for an Accessory Structure greater than five-hundred (500) square feet per Section 96.1 of the current Zoning Ordinance. The Applicant is requested a Conditional Use for an Accessory Structure of twelve-hundred (1,200) square feet.

The applicant made a presentation of his request. The Commission asked the applicant several questions. The Commission held discussion.

Commissioner Frater made a motion, seconded by Watson, the recommend approval of the proposed Accessory Building of twelve-hundred (1,200) square feet and that the criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance had been met. Commissioner's Harris, Frater and Watson voted in favor of the motion. Commissioner Adams voted against the request. Chairman Meggett declared the motion passed.

6. Beach Town Properties, LLC, owner of the property commonly known as 269 Tide Street, Legal Description; Lots 11-14, Block 9, Waveland Park Subdivision, has made application requesting to following variances.

A) A variance from the Lot Area Requirement in R-1, as required in Section 701.1 of the current Zoning Ordinance requiring a lot area requirement of twelve-thousand (12,000) square feet. The applicant is requesting a three-hundred and forty-five (345) variance from the overall lot area requirement, resulting in an overall lot area of eleven-thousand, six-hundred and fifty-five (11,655) square feet. This is for Lots 11&12 (see exhibits).

B) A variance from the Lot Area Requirement in R-1, as required in Section 701.1 of the current Zoning Ordinance requiring a lot area requirement of twelve-thousand (12,000) square feet. The applicant is requesting a one-thousand, nine-hundred and ninety-two (1,992) square foot variance from the overall lot area requirement, resulting in an overall lot area of ten-thousand, and eight (10,008) square feet. This is for Lots 13&14 (see exhibits).

The applicant explained stated their reasons for requesting his variances for both proposed lots. The applicant indicated that they were creating two lots out of one Parcel (see exhibit). The Commission asked the applicant several questions about the property. The applicant explained that they were planning on selling the lots for Single Family Residences.

Commissioner Frater made a motion, seconded by Commissioner Adams, to recommend approval of variances being requested. The Commission finds that the criteria for a variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioners Adams, Harris Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion had passed.

7. McDonald Realty Company Inc (Regan Kane – Representative), owners of the property Parcel#161B-2-01-118.000, Legal Description; Lot 71, Lakewood Subdivision, Section 1, has made application for the following two (2) item:

- 1) A Procedural Variance from the City of Waveland Subdivision Ordinance as provided for in Section 306.2(G) 3.
"Procedural Variance. Where a proposed subdivision would contain no new streets and no more than ten (10) lots, the requirement to prepare a Preliminary Plat may be waived by the Board of Mayor and Aldermen upon recommendation by the Planning and Zoning Commission."

- 2) An Application for Approval of the Final Plat as provided for in the City of Waveland Subdivision Ordinance, Section 306 – Procedure for Approval of Final Plat.

The representative of the applicant explained their request and explained that they were proposing to divide Lot 71, Lakewood Subdivision, Section 1 into five (5) Lots, all of which meet the criteria for R-1 – Single Family with all having one-hundred feet of frontage and exceed the twelve-thousand square feet. He further explained that the proposed lots require no new public infrastructure and have frontage on an approved public street with utilities available.

The Commission asked the applicant several questions about the proposed lots and held deliberations. The Chairman asked if staff had received any letters or calls in response to the adjacent property owners notice. Staff said that no letters or calls had been received either for or against the proposal. However numerous calls had been received that just needed more information and to determine how this might affect their current houses and properties. Staff explained the request to the callers and in some cases sent the exhibit and the public notice.

The Chairman then asked if anyone was on the call who would like to speak in favor or against the proposal. Brian Stanford, 132 Lakewood Drive expressed concerns about removal of trees that have served as somewhat of a buffer from the railroad located on the north side of Central Avenue. He also discussed the narrowness of the last block of Lakewood Drive (block before the beach) and that in essence make it a one-way road. Staff explained the history and how that section of roadway was created several decades before and that this issue is something that Public Works and the Board of Alderman would have to consider if requested to do so.

Commissioner Adams made a motion seconded by Commissioner Watson, to recommend approval of the requested Procedural Variance as stated in Section 306.2(G) 3 of the current Subdivision Ordinance. Commissioners Adams, Harris, Frater and Watson voted in favor of the motion. Chairman Meggett stated that the motion had passed.

Commissioner Adams made a motion, seconded by Commissioner Harris, to recommend approval of the Final Plat. Commissioners Adams, Harris, Frater and Watson voted in favor of the motion. Chairman Meggett stated that the motion had passed.

8. Any requests to address the Commission. No one came forward.
9. Reports from Chair, Commissioners and Staff. Chairman Meggett reported on the Board of Alderman action on the P&Z items from the January 11th, 2021 P&Z Meeting. Commissioner Frater mentioned that the P&Z Commission still needs to schedule a separate meeting to continue considering the proposed new Tree Preservation Ordinance.
6. Set the date for the next regularly scheduled meeting, Monday, March 22nd, 2021 at 6PM. Commissioner Watson made a motion, seconded by Commissioner Frater, to approve the date. All Commissioners voted in favor of the motion. Chairman Meggett declared the motion passed.
7. Adjourn. Commissioner Harris made a motion, seconded by Commissioner Frater, to adjourn the meeting. All Commissioners voted to adjourn. All Commissioners vote in favor of the motion and Chairman Meggett declared the motion passed. The meeting was adjourned at 8:59 PM.